



State of New Jersey

DEPARTMENT OF EDUCATION
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February 26, 2004

TO: Chief School Administrators
Charter School Lead Persons
Principals
District Test Coordinators
ESL/Bilingual Supervisors

FROM: William L. Librera, Ed.D., Commissioner

SUBJECT: Coding for Limited English Proficient Students on the 2004 State Assessments

IMPORTANT INFORMATION 2004 STATE ASSESSMENTS

A handwritten signature in black ink, appearing to read "WL".

The United States Department of Education (USDOE) issued guidance last week allowing for greater flexibility in how states calculate Adequate Yearly Progress (AYP) and determine participation for limited English proficient (LEP) students under the No Child Left Behind Act (NCLB). This guidance document can be found on the USDOE website at www.ed.gov/policy/gen/guid/secletter/040220.html. Despite the late timing of this federal announcement in relation to our March 2004 testing schedule, the New Jersey Department of Education (NJDOE) has been working to respond to the new guidance in a way that allows for fairness for students, schools and districts across the state.

First, limited English proficient students may now be counted as LEP students in the testing program for two years after they have demonstrated English proficiency and exited an LEP program. Thus, districts and schools will receive credit for their success with LEP students. To accommodate this change, which applies to all statewide testing programs, districts must identify the students who fit this new criterion by gridding in the "3" bubble under LEP on the student scannable demographic sheet on the answer folder or test booklet, depending on the test program. This change applies to students who attained English proficiency and have exited an LEP program within the past two years. The implementation of the new federal guidance will allow these students to be included in the calculations for the LEP sub-group in AYP calculations for 2004. NOTE: the "3" bubble is to be used for both LEP students in their third year of a LEP program and for LEP students that have exited a LEP program for two years.

Second, the USDOE is allowing states to authorize local districts to substitute, for first year LEP students only, the English Proficiency Test for the Language Arts Literacy portion of the Language Arts Literacy state assessments. Unfortunately, this new guidance from the USDOE comes too late for this option to be implemented in New Jersey in the 2004 assessment. The NJDOE will take action how to implement this option in the 2005 assessments.

Should you have any questions regarding the Adequate Yearly Progress calculations for limited English proficient students, please do not hesitate to contact Assistant Commissioner Isaac Bryant, Division of Student Services at (609) 292-9899.

Should you have any questions regarding the statewide assessment programs, please do not hesitate to contact Assistant Commissioner Richard C. Ten Eyck, Division of Educational Programs and Assessment at (609) 292-1083.

Best wishes for continued success as we work together for the best education for all of New Jersey's students.

WLL/RCT/IB/BDR/SO/EC/04lepmemo

c: Members, State Board of Education

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